

## NOTICES OF RULEMAKING DOCKET OPENINGS

The Administrative Procedure Act (APA) requires the publication of Notices of Rulemaking Docket Opening whenever an agency opens a rulemaking docket to consider rulemaking. Under the APA effective January 1, 1995, agencies must submit a Notice of Rulemaking Docket Opening before beginning the formal rulemaking process.

### NOTICE OF RULEMAKING DOCKET OPENING

#### BOARD OF ACCOUNTANCY

1. **Title and its heading:** 4, Professions and Occupations  
**Chapter and its heading:** 1, Board of Accountancy  
**Article and its heading:** 1, General Provisions  
2, CPA Examination Provisions  
3, Certification and Registration Provisions  
4, Regulation Provisions  
**Section numbers:** R4-1-101, R4-1-105, R4-1-113, R4-1-114, R4-1-116, R4-1-117; R4-1-226 through R4-1-229;  
R4-1-342 through R4-1-346; R4-1-453, R4-1-454, R4-1-455, R4-1-455.01, R4-1-455.03, and  
R4-1-455.04
2. **The subject matter of the proposed rule:**  
The agency is adopting, amending, and repealing rules as a result of the 5-year rule review. The intent of the proposed amendments is to provide clarification of the rules and modify the rules as a result of statutory changes.
3. **A citation to all published notices relating to the proceeding:**  
None published.
4. **The name and address of agency personnel with whom persons may communicate regarding the rule:**  
Name: Ruth R. Lee, Executive Director  
Address: Arizona State Board of Accountancy  
3877 North Seventh Street-106  
Phoenix, Arizona 85014  
Telephone: (602) 255-3648, Ext. 18  
Fax: (602) 255-1283
5. **The time during which the agency will accept written comments and the time and place where oral comments may be made:**  
The Board will accept written comment during regular business hours at the address listed above until the close of record, which has not yet been determined. The Board has not scheduled an oral proceeding at this time.
6. **A timetable for agency decisions or other action on the proceeding, if known:**  
The Board expects to file proposed rule amendments with the Secretary of State's Office in September 1998.

### NOTICE OF RULEMAKING DOCKET OPENING

#### DEPARTMENT OF ECONOMIC SECURITY

1. **Title and its heading:** Title 6, Economic Security  
**Chapter and its heading:** Chapter 8, Department of Economic Security - Aging and Adult Administration  
**Article and its heading:** Article 1, Grievances and Hearings  
**Section numbers:** R6-8-101 through R6-8-117, and any new sections required as a result of the rulemaking.
2. **Subject matter of the proposed rules:**  
The current rules lack conciseness, clarity, and specifics. The Department plans to amend 6 A.A.C. 8, Article 1, governing grievances and hearings arising out of the federal Older Americans Act. The Department plans to revise and expand the current rules to include many of the details now found in the Aging and Adult Administration's Policies and Procedures manual.  
  
The amendments to the rules were proposed in the Department's recent 5-Year Rule Review Report. The amendments will add definitions, specify types of non-grievable issues, improve terminology, combine sections of similar actions, and renumber sections to better group rules related to client appeal rights.
3. **A citation to all published notices relating to the proceeding:**  
None published.

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**4. Name and address of agency personnel with whom persons may communicate regarding the rules:**

Name: Vista Thompson Brown, Legal Analyst

Address: Department of Economic Security  
1789 West Jefferson, Site Code 837A  
Phoenix, Arizona 85007

or

P.O. Box 6123, Site Code 837A  
Phoenix, Arizona 85005

Telephone: (602) 542-6555

Fax: (602) 542-6000

E-mail: vovb5015@de.state.az.us

or

Name: Ray De La Rosa

Address: Aging and Adult Administration, Legal Services Developer  
Department of Economic Security  
1789 West Jefferson, Site Code 950A  
Phoenix, Arizona 85007

Telephone: (602) 542-6440

Fax: (602) 542-6575

E-mail: vord7953@de.state.az.us

**5. The time during which written submission may be made and the time and place where oral comments may be made:**

The Department will accept written comments from now until the close of record, which has not yet been scheduled. The Department has not scheduled any oral proceedings.

**6. A timetable for agency decisions or other actions in the proceeding:**

The Department expects to file proposed rule amendments with the Secretary of State's Office by October 1998. The Department does not plan to conduct hearings on these amendments unless 5 or more people request a hearing. The Department will accept written comments for at least 30 days after publication of the proposed rules. The Department will then close the record and proceed to the Governor's Regulatory Review Council as expeditiously as possible.

**NOTICE OF RULEMAKING DOCKET OPENING**

**CORPORATION COMMISSION - SECURITIES**

**1. Title and its heading:** 14, Public Service Corporations; Corporations and Associations; Securities Regulation

**Chapter and its heading:** 4, Corporation Commission - Securities

**Article and its heading:** 1, In General Relating to the Arizona Securities Act

**Section numbers:** R14-4-126

**2. The subject matter of the proposed rule:**

Section R14-4-126 provides exemptions from registration of securities substantially similar to exemptions offered by Rules 505 and 506 promulgated pursuant to the Securities Act of 1933. The proposed amendment will provide notice filing requirements for private offerings exempt from federal registration pursuant to rules or regulations issued under Section 4(2) of the Securities Act of 1933, in conformity with the National Securities Markets Improvement Act of 1996.

**Agency docket number:**

RS-00000A-98-0190

**3. A citation to all published notices relating to the proceeding:**

None.

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Cheryl T. Farson, Associate General Counsel

Address: Arizona Corporation Commission, Securities Division  
1300 West Washington, Third Floor  
Phoenix, Arizona 85007

Telephone: (602) 542-4242

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Fax: (602) 594-7470

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:  
Written and oral comments will be accepted Monday through Friday, 8 a.m. to 5 p.m., at the address listed in question #4. No hearing date has been set.
6. A timetable for agency decisions or other action on the proceeding, if known:  
The Securities Division plans to submit a Notice of Proposed Rulemaking by June 1998.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF REVENUE - TRANSACTION PRIVILEGE AND USE TAX SECTION**

1. Title and its heading: 15, Revenue  
Chapter and its heading: 5, Department of Revenue - Transaction Privilege and Use Tax Section  
Article and its heading: 1, Retail Classification  
23, Use Tax  
Section numbers: R15-5-152 and R15-5-2340
2. The subject matter of the proposed rule:  
The rules provide information on the imposition of transaction privilege and use taxes on the sale or purchase of tangible personal property that is intended to be incorporated into a soil remediation project.  
The agency docket number:  
97-5-03
3. A citation to all published notices relating to the proceeding:  
None published.
4. The name and address of agency personnel with whom persons may communicate regarding the rule:  
Name: Christie Comanita  
Address: Tax Research and Analysis Section  
Arizona Department of Revenue  
1600 West Monroe  
Phoenix, Arizona 85007  
Telephone: (602) 542-4672  
Fax: (602) 542-4680
5. The time during which the agency will accept written comments and the time and place where oral comments may be made:  
To be published in the Notice of Proposed Rulemaking.
6. A timetable for agency decisions or other action on the proceeding, if known:  
Not yet determined.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF REVENUE - TRANSACTION PRIVILEGE AND USE TAX SECTION**

1. Title and its heading: 15, Revenue  
Chapter and its heading: 5, Department of Revenue - Transaction Privilege and Use Tax Section  
Article and its heading: 6, Sales Tax - Contracting Classification  
Section numbers: R15-5-602, R15-5-604, R15-5-605, R15-5-608, R15-5-612 through R15-5-617, R15-5-628 and R15-5-629
2. The subject matter of the proposed rule:  
The rules provide guidance on the application of the transaction privilege tax under the prime contracting classification.  
The agency docket number:  
98-05-1.
3. A citation to all published notices relating to the proceeding:  
None published.
4. The name and address of agency personnel with whom persons may communicate regarding the rule:  
Name: Christie Comanita

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Address: Tax Research and Analysis Section  
Arizona Department of Revenue  
1600 West Monroe  
Phoenix, Arizona 85007

Telephone: (602) 542-4672

Fax: (602) 542-4680

5. The time during which the agency will accept written comments and the time and place where oral comments may be made:  
To be published in the Notice of Proposed Rulemaking.
6. A timetable for agency decisions or other action on the proceeding, if known:  
Not yet determined.

**NOTICE OF RULEMAKING DOCKET OPENING**

**DEPARTMENT OF TRANSPORTATION**

1. Title and its heading: 17, Transportation  
Chapter and its heading: 4, Department of Transportation - Motor Vehicle Division  
Article and its heading: 5, Driver Licenses  
8, Commercial Motor Vehicle Program  
10, Third-Party Programs  
Section numbers: R17-4-501, R17-4-512; R17-4-801, R17-4-805 through R17-4-808; R17-4-1001 through R17-4-1009
2. The subject matter of the proposed rule:  
This Notice of Rulemaking Docket Opening supersedes the previously published docket opening notices. The Motor Vehicle Division proposes to repeal 3rd-party Sections currently set forth in 17 A.A.C. 4, Articles 5 and 8, and to promulgate 3rd-party Sections to be set forth in a new Article located at 17 A.A.C. 4, Article 10, headed "Third-Party Programs." 17 A.A.C. 4, Article 10, will contain Sections that set forth the generally applicable definitions; the general requirements an entity or individual must meet to obtain authorization or certification pursuant to A.R.S. Title 28, Chapter 13, or licensing pursuant to A.R.S. Title 32, Chapter 23; and the general duties and responsibilities of an authorized, certified or licensed entity or individual. 17A.A.C. 4, Article 10, will also contain Sections that deal with a specific category of authorized, certified or licensed entities or individuals.
3. A citation to all published notices relating to the proceeding:  
Notice of Rulemaking Docket Opening (R17-4-501): 2 A.A.R. 1106, March 1, 1996.  
  
Notice of Rulemaking Docket Opening (R17-4-220, R17-4-221, R17-4-501, R17-4-502, and R17-4-805): 4 A.A.R. 957, April 24, 1998.  
  
This Notice of Rulemaking Docket Opening supersedes the previously published notices.
4. The name and address of agency personnel with whom persons may communicate regarding the rule:  
Name: Lynn S. Golder, Rules Attorney  
  
Address: Arizona Department of Transportation, Motor Vehicle Division  
4747 North Seventh Avenue, Third Floor  
Phoenix, Arizona 85013  
  
Telephone: (602) 255-7941  
  
Fax: (602) 241-1624
5. The time during which the agency will accept written comments and the time and place where oral comments may be made:  
Written comments will be accepted at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Friday. Oral comments will be accepted at the location listed in question #4 between 8 a.m. and 5 p.m., Monday through Thursday.
6. A timetable for agency decisions or other action on the proceeding, if known:  
Not yet determined.